

1 TUCKER ELLIS & WEST LLP
2 CURTISS L. ISLER (SBN 146903)
3 515 South Flower Street
4 Forty Second Floor
5 Los Angeles, CA 90071-2223
6 Telephone: 213.430.3400
7 Facsimile: 213.430.3409
8 Email: Curt.Isler@tuckerellis.com

ORIGINAL FILED

JUL - 9 2008

RICHARD W. WIEKING
CLERK U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

6 TUCKER ELLIS & WEST LLP
7 LANCE D. WILSON (SBN 183852)
8 TIMOTHY C. CONNOR (SBN 236529)
9 135 Main Street, Suite 700
10 San Francisco, CA 94105
11 Telephone: (415) 617-2400
12 Facsimile: (415) 617-2409
13 Email: lance.wilson@tuckerellis.com
14 Email: timothy.connor@tuckerellis.com

E-filing

11 Attorneys for Defendant
12 UNITED TECHNOLOGIES CORPORATION

13 UNITED STATES DISTRICT COURT
14 NORTHERN DISTRICT OF CALIFORNIA

JL

15 NORMAN CARVETH,
16 Plaintiff,

17 v.

18 ALLIS-CHALMERS CORPORATION
19 PRODUCT LIABILITY TRUST, et al,
20 Defendants.

CASE NO. 2008-00000000

CERTIFICATION OF RELATED CASES

22 TO THE CLERK OF THE COURT AND TO ALL PARTIES AND THEIR ATTORNEYS OF
23 RECORD:

24 PLEASE TAKE NOTICE that pursuant to Local Rule 3-12, defendant United
25 Technologies Corporation ("UTC") hereby notifies the Court that the above-entitled action
26 appears to involve all or a material part of the same subject matter as other actions which are
27 pending in the United States District Court for the Eastern District of Pennsylvania, where all
28 Federal Court asbestos personal injury actions have been centralized pursuant to the Order of the

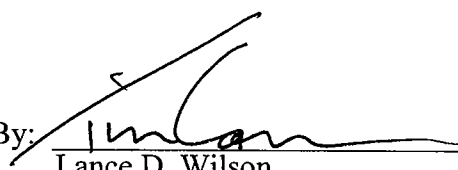
1 judicial panel on multi-district litigation for coordinated or consolidated pretrial proceedings
2 pursuant to U.S.C. § 1407 ("MDL Transfer Order").

3 In its MDL Transfer Order, the judicial panel found that the consolidated actions, similar
4 to the instant case, dealt with common questions of fact relating to injuries or wrongful death
5 allegedly caused by exposure to asbestos, "and that centralization under § 1407 in the Eastern
6 District of Pennsylvania will best serve the convenience of the parties and witnesses and promote
7 the just and efficient conduct of this litigation." *Fung v. Abex Corp.* 816 F.Supp. 569, 573
8 (N.D. Cal. 1992). The MDL Transfer Order also applies to "tag-along actions," or actions
9 involving common questions of fact filed after the January 1991 filings of the Panel's Order to
10 Show Cause. See UTC's Notice of Tag-Along Action filed concurrently herewith.

11 Accordingly, because the above-entitled case involves a claim for personal injuries
12 allegedly caused by exposure to asbestos, UTC requests that this action be transferred to the
13 United States District Court for the Eastern District of Pennsylvania pursuant to the multi-district
14 litigation procedures to conserve resources and promote an efficient determination of the action.

15
16 DATED: July 9, 2008

TUCKER ELLIS & WEST LLP

17
18
19 By: 
Lance D. Wilson
Timothy C. Connor
Attorneys for Defendant UNITED
TECHNOLOGIES CORPORATION